

Application Serial No.: 09/684,965  
Reply to Office Action dated February 19, 2004

REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1-52 are presently active in this case, Claims 1, 13, 25-37, 42, 47, and 49-51 having been amended and Claim 52 has been added by way of the present Amendment.

In the outstanding Official Action, Claims 1, 13, 25, 37, 42, and 47 were rejected under 35 U.S.C. 102(e) as being anticipated by Becker et al. (U.S. Patent No. 6,658,452 B1). Claims 2-8, 11, 12, 14-20, 23, 24, 26-32, 35, and 36 were rejected under 35 U.S.C. 103(a) as being unpatentable over Becker et al. in view of Britton (U.S. Patent No. 6,591,289 B1). Claims 9, 10, 21, 22, 33, and 34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Becker et al. in view of Britton and further in view of Smith (U.S. Patent No. 6,385,655 B1). For the reasons discussed below, the Applicants request the withdrawal of the art rejections.

In the Office Action, the Becker et al. reference is indicated as anticipating each of independent Claims 1, 13, 25, 37, 42, and 47. However, the Applicants note that a claim is anticipated only if each and every element as set forth in the claims is found, either expressly or inherently described, in a single prior art reference. *Verdegaal Bros. v. Union Oil Co. of California*, 2 USPQ2d 1051, 1053 (Fed. Cir. 1987). As will be demonstrated below, the Becker et al. reference clearly does not meet each and every limitation of the independent Claims 1, 13, 25, 37, 42, and 47.

Claims 1 and 37 of the present application recite, among other steps, a step of providing a user with consulting advice regarding a request. Claims 13 and 42 of the present application recite, among other features, means for providing a user with consulting advice regarding a request. Furthermore, Claims 25 and 47 recite, among other features, a computer code device configured to provide a user with consulting advice regarding a request. The specification of the present application discloses numerous non-limiting examples of such consulting advice. (See, e.g., page 2, lines 22-27, and page 6, lines 13-30.) The Applicants submit that the Becker et al. reference does not teach or suggest the above limitations.

The Becker et al. reference describes a distributed data processing system for transferring an application. In the method described in Becker et al., a user selection of an application at a first site is detected, and responsive to detecting the user selection of the application, location information for the application is passed to a second site. The application is then transferred from the first site to the second site using the location information. The Becker et al. reference does not disclose or suggest any type of consulting advice being provided to the user regarding the user's request for an application. The Becker et al. reference merely describes a method for selecting a file containing an application and passing that file to an application service provider for subsequent installation. No consultation is provided to the user regarding a selection.

Since the Becker et al. reference does not disclose all of the limitations recited in independent Claims 1, 13, 25, 37, 42, and 47, then the Applicants submit that these claims are

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not anticipated by the Becker et al. reference. Accordingly, the Applicants respectfully request the withdrawal of the anticipation rejections of Claims 1, 13, 25, 37, 42, and 47.

Claims 2-12, 14-24, 26-36, 38-41, 43-46, and 48-51 are considered allowable for the reasons advanced for Claims 1, 13, 25, 37, 42, and 47 from which they depend, since the secondary references cited against these claims do not supplement the deficiencies noted above with respect to the Becker et al. reference. These claims are further considered allowable as they recite other features of the invention that are neither disclosed, taught, nor suggested by the applied references when those features are considered within the context of Claims 1, 13, 25, 37, 42, and 47.

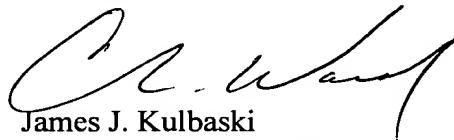
Newly added Claim 52 is considered allowable as they recite features of the invention that are neither disclosed nor suggested by the references of record. For example, the references of record do not disclose a method for managing documents comprising the step of storing a document from a remote user at an application service provider and receiving information from the application service provider indicating information of the document provided from the application service provider to the user, with the remaining steps recited in new Claim 52. The Applicants note that the Becker et al. reference describes a system for distributing program applications, rather than documents as recited in the claims of the present application. Support for new Claim 52 is present in the present application, for example, on page 9, lines 18-27.

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Consequently, in view of the above discussion, it is respectfully submitted that the present application is in condition for formal allowance and an early and favorable reconsideration of this application is therefore requested.

Respectfully Submitted,

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